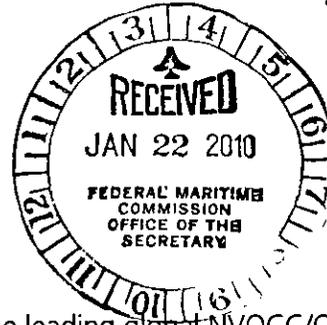


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January 20, 2010

DHL Global Forwarding/Danmar Lines Ltd. is one of the leading global NVOCC/Ocean Intermediaries. We support the NCBFAA efforts to petition against the FMC Tariff Filing requirement. This is a requirement that has plagued our maritime industry for decades.

With the economy suffering, high unemployment and government deficits growing, we need the government's support and exemption from this out-dated and costly administrative burden. In order for the carrier's to survive this depressed market, they are implementing general rates increases (GRI) every few months, and adjusting surcharges (such as CAF, BAF, etc) often on a monthly basis. Even if we have service contracts with the carriers that might exempt us from GRI's, they find creative ways to enhance their dwindling revenues such as creating new charges like the recent ERC (Emergency Revenue Charge) that are mandated.

These constant changes require a huge effort to keep our tariffs current and properly maintained, not to mention the impact on operations staff having to update our operating system and our Sales staff notifying our Customers of their ever changing ocean rates. In some cases, due to the publication notice period requirements (i.e. 30 days for an increase to take effect), we are left to absorb these losses if not filed on a timely basis because we cannot pass them on.

Each time these carrier rates and surcharges adjust, it requires tariff re-filing of our commodity rates and/or respective surcharges. This can mean hundreds or thousands of updates every few months. Our costs for tariff filing services have increased by 20% in the past 2 years alone. And that does not account for the lost productivity of our operational and sales staff trying to best serve our Customers. We pay a \$12 fee per rate filing or update. If a rate is revised for a single commodity but with different equipment sizes (20', 40', 40HC), that could represent a \$36 cost for one commodity. Our monthly costs average \$20,000 paid to a third party vendor. Then there is the operational cost of time spent submitting new tariff filings, revising existing filings and surcharges, re-filing rates that have expired, looking up rates in the tariff, etc. We estimate that this costs our company another \$50,000 annually. Imagine how many staff we could have maintained in our offices across the country if we had that additional \$300,000. In the past year, like most companies, we have been forced to layoff some of our staff and implement furlough days. This is not only devastating to those who lost their jobs, but also their families, our staff, our Customers, and our corporate family.

The government has created and maintained this administrative policy for decades. It might have served its purpose 30 years ago, but it has become archaic and outlived its usefulness. The Shipping Act of 1984 states it was created:

1) to establish a non-discriminatory regulatory process for the common carriage of goods by water in the foreign commerce of the United States with a **minimum of government intervention and regulatory costs;**

(2) to provide an efficient and economic transportation system in the ocean commerce of the United States that is, insofar as possible, **in harmony with**, and responsive to, **international shipping practices;** and

(3) to encourage the development of an **economically sound and efficient United States-flag liner fleet** capable of meeting national security needs; and

(4) **to promote the growth and development of United States exports through competitive and efficient ocean transportation and by placing a greater reliance on the marketplace.**

Have the goals been accomplished?

- This is not "minimal government intervention"; not when it is costing OTI's and NVOCC's millions of dollars of wasteful spending every year.
- It is not in harmony with international shipping practices because there is no other government or country that places this tariff filing requirement on their maritime industry. Our international airfreight consolidators and rail consolidators are not required to maintain government tariffs. Why is the ocean industry held to a different standard?
- Our US Flag carriers are not more economically sound due to tariff filing requirements.
- This administrative mandate does not promote competitive growth. The free market place drives competition, not government regulations. If an NVOCC does not offer competitive pricing, the Customer will look elsewhere.

The cost to maintain these tariffs is excessive and rarely does any third party refer to them. Some NVOCC companies even assess a fee to view their tariffs, so we are just creating more waste. And finally, what is the cost to our country and our government. The money spent on policing tariff filings could be better spent on protecting and securing our ports.

In closing, we hope the Federal Maritime Commission will review this very important issue and agrees to exempt the NVOCC industry from this regulation. Allow us to put our energy, money, time and resources into growing our ocean business and let the market take care of competition. In today's technological age, Customers have access to more information than ever before and have every opportunity to shop for fair and competitive rates to meet their needs.

Regards,



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